



## Board of Hearing Aid Dispensers and Audiologists

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### **DRAFT-OFFICIAL BOARD MINUTES FOR January 09, 2023 Teleconference**

**MEMBERS PRESENT:** Todd Decker, President  
Norman Sorensen, Member  
Clint Hinker, Member  
Julie Paluch, Lay Member

**MEMBERS ABSENT:** Dan Smith, Secretary/Treasurer

**OTHERS PRESENT:** Carol Tellinghuisen, Executive Secretary  
Brooke Tellinghuisen Geddes, Executive Assistant  
Jill Lesselyoung, Executive Assistant  
Megan Borchert, Legal Counsel- Attorney General's Office

**CALL TO ORDER/WELCOME AND INTRODUCTIONS:** President Decker called the meeting to order at 11:01 a.m. MST.

**ROLL CALL:** Decker asked Tellinghuisen Geddes to call the roll. Decker, yes; Smith, absent; Sorensen, yes; Hinker, yes; Paluch, yes. A quorum was present.

**CORRECTIONS OR ADDITIONS TO THE AGENDA:** Decker requested that item number 15, Executive Secretary Contract Renewal, be moved up on the agenda to be discussed after the financial update.

**APPROVAL OF THE AGENDA:** Hinker made a motion to approve the agenda. Sorensen seconded the motion. **MOTION PASSED** by unanimous voice vote.

**PUBLIC COMMENT:** Decker called for public comment. There was no public comment.

**APPROVAL OF THE MINUTES FROM JULY 11, 2022:** Sorensen made a motion to approve the minutes from July 11, 2022 as written. Paluch seconded the motion. Motion approved by unanimous voice vote.

**FY FINANCIAL UPDATE:** Tellinghuisen Geddes reported the most recent year-to-date financials as of November 30, 2022 as: expenses of \$13,968.13; revenue of \$8,696.77; and a cash center balance of \$103,393.37. Fiscal Year-End financials were reported as of June 30, 2022 as: expenses of \$27,314.31; revenue of \$32,070.97 and a cash center balance of

\$108,664.73.

**EXECUTIVE SECRETARY CONTRACT RENEWAL:** Hinker made a motion to renew the Executive Secretary contract at the current rate with a cost-of-living increase consistent with cost-of-living increase granted by the State and a \$50 per month rent increase. Sorensen seconded the motion. **MOTION PASSED** by unanimous voice vote

**OTC HEARING AIDS- FDA LETTER AND AMERICAN ACADEMY OF AUDIOLOGY HANDOUT:** The Board discussed the information provided by the American Academy of Audiology on OTC hearing aids and implications for state statutes and regulations. Borchert advised that as the result of the FTC approving the OTC devices, we will have to make some edits to our statutes to ensure the SD statutes do not conflict with the federal law. She has put together some suggestions and those will be made available to the Board and department to hopefully incorporate into the cleanup bill the Board intends to introduce in 2024.

**UPDATE ON AUDIOLOGY/HAD BILL:** Borchert advised that considering the OTC hearing aid federal law and the need for further changes to SD Statutes, the bill was pulled back from the 2023 legislative session by the DOH-LTF.

**DISCUSSION ON COMMITTEE FOR STATUTE REVISIONS:** The board discussed putting a committee together in May to review further statute revisions needed and incorporate Borchert's suggested changes to the Statutes. Decker advised he will reach out to the Audiologists from the University that served on the revisions committee previously to see if there was interest in being involved in the process again. The Board office will send around dates in May to hold these meetings.

**DISCUSSION ON PRACTICUM FOR LICENSED OUT-OF-STATE APPLICANTS:** The Board discussed options for waiving the in-person practicum for Hearing Aid Dispensing applicants have been actively practicing in another state and who meet all other licensure requirements. Tellinghuisen-Geddes advised that it is creating a barrier to licensure, and it would have been part of the proposed legislation. Borchert advised that the way the statutes currently read gives the Board leeway to determine when that exam is appropriate but that a policy should be established that is fair and equal to all applicants. Decker made a motion to allow an applicant to complete a waiver (drafted by legal counsel and Board office with approval from Board President) to waive the practicum requirement provided the applicant meets all other licensure requirements and has been actively practicing for at least 2 of the last 5 years. Sorensen seconded the motion. **MOTION PASSED** by unanimous voice vote.

**ELECTION OF OFFICERS:** Sorensen made the motion to re-elect the existing board officers with Decker as President and Smith as Secretary/Treasurer. Hinker seconded the motion. **MOTION PASSED** by unanimous voice vote.

**SCHEDULE NEXT MEETING:** The next meeting is scheduled for Monday, July 10, 2023, at 11:00 a.m. MDT / 12:00 p.m. CDT via Microsoft Teams.

**EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2:** The Board did not enter executive session as there are no pending complaints.

**ANY OTHER BUSINESS COMING IN BETWEEN DATE OF MAILING AND DATE OF MEETING:** None.

Hinker made a motion to adjourn the meeting at 11:40 a.m. MST. Paluch seconded the motion.  
**MOTION PASSED** by unanimous voice vote.

Respectfully submitted,

Carol Tellinghuisen  
Executive Secretary

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.